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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,674	12/31/2003	Jae-Hong Choi	11038-155-999	2230

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MORGAN, LEWIS & BOCKIUS, LLP.
2 PALO ALTO SQUARE
3000 EL CAMINO REAL
PALO ALTO, CA 94306

EXAMINER

STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,674

Applicant(s)

CHOI, JAE-HONG

Examiner

Gregory J. Strimbu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/6/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 112

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "a sliding door" on line 2 of claim 1 render the claims indefinite because it is unclear if the applicant is referring to the door set forth above or is attempting to set forth another door in addition to the one set forth above. Recitations such as "the ascending and descending movement" on lines 7-8 of claim 1 render the claims indefinite because it is unclear how the descending movement of the window glass can actuate the detecting lever. It appears that only the ascending movement of the window glass can actuate the detecting lever. See figure 1. Recitations such as "a vehicle body" on line 12 of claim 1 render the claims indefinite because it is unclear if the applicant is attempting to set forth the subcombination of a window glass interlock device or the combination of a window glass interlock device and a vehicle body. The preamble of claim 1 implies the subcombination while the positive recitation of the vehicle body on line 12 of claim 1 implies the combination. Recitations such as "to pivot in a state" on line 14 of claim 1 render the claims indefinite because it is unclear what the applicant is attempting to set forth. How does a lever pivot "in a state"? Recitations such as "may be" on line 15 of claim 1 render the claims indefinite because it is unclear whether or not the interlock lever is or is not blocked. Recitations such as "a hinge" on line 1 of claim 2 render the claims indefinite because it appears that the detecting lever is attached to a pivot pin rather than a hinge. Recitations such as "at" on line 2 of claim

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2 render the claims indefinite because it is unclear whether the hinge is attached to the support bracket or merely placed at the support bracket. Recitations such as "contacting said detecting lever" on lines 2-3 of claim 3 render the claims indefinite because it is unclear how the detecting guide is always in contact with the detecting lever. Recitations such as "a contact portion . . . to said stop block" on lines 1-2 of claim 5 render the claims indefinite because it is unclear what the applicant is attempting to set forth. Recitations such as "a vertical plane" on line 2 of claim 6 render the claims indefinite because it is unclear if the applicant is referring to the plane set forth above or is attempting to set forth another plane in addition to the one set forth above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yogo et al. in view of Lee. Yogo et al. discloses a window glass interlock device for a vehicle sliding door 1 comprising, a detecting lever 17 fixed in relation to said sliding door for allowing a detecting guide to contact and pivot said detecting lever by the ascending and descending movement, an interlock lever 14 pivotally installed in relation to said sliding door, a cable 16 connecting said detecting lever and said interlock lever for allowing said interlock lever to pivot by the pivot of said detecting lever, a stop block 13

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fixed at a vehicle body for restricting the amount of opening of said sliding door by blocking said interlock lever, and a spring 20 installed to allow said interlock lever to pivot in a state that said interlock lever may be blocked by said stop block when said detecting guide is distant from said detecting lever. Yogo et.al. is silent concerning a window regulator.

However, Lee discloses a guide rail 3, a window glass carrier 2 linearly sliding up and down along said guide rail for ascending and descending a window glass 1, a detecting guide (not numbered, but comprising the angled right hand portion of the carrier 2 as show in figure 2) integrally fixed at said window glass carrier.

It would have been obvious to one of ordinary skill in the art to provide Yogo et al. with a window regulator, as taught by Lee, to ensure the proper movement of the window and to provide a more accurate means of actuating the detecting lever.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogo et al, in view of Lee as applied to claim 1 above, and further in view of Isomura. Isomura discloses a window glass interlock device comprising a bracket 35 for mounting a lever 34 via a hinge 36 and a detecting guide 33 having a round part 32 at an upper portion thereof.

It would have been obvious to one of ordinary skill in the art to provide Yogo et al., as modified above, with a bracket and round part, as taught by Isomura, to enable the position of the lever to be adjusted with respect to the door and to ensure the proper movement of the detecting lever.

Allowable Subject Matter

Claims 5 and 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a contact portion of the interlock lever to the stop block is formed with a slant lever side inclined in relation to a vertical plane and the stop block is formed with a slant block side parallel with the slant lever side. See claim 5, lines 1-5.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hashiba et al., Engelgau et al., Yamagishi et al., and Asada et al. are cited for disclosing a window glass interlock device. Andrei-Alexandru et al. '625 and '004, Dauvergne, and Piper are cited for disclosing a window regulator having a cable interconnected control means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a stylized flourish at the end.

Gregory J. Strimbu
Primary Examiner
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December 22, 2004